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18
19 UNITED STATES DISTRICT COURT

20 DISTRICT OF NEVADA

21
22 MICAH D. KALENOWSKI ,
23 Plaintiff,
24 vs.
25 CITY OF LAS VEGAS, NEVADA, et al.
26 Defendants.

27 Case No.: 2:20-cv-01743-GMN-VCF

28 ORDER GRANTING STIPULATION
29 TO EXTEND TIME REGARDING
30 PLAINTIFF'S MOTION TO COMPEL
31 AND MOTION TO AMEND
32 [ECF Nos. 81, 82]

33 *(First Request)*

34 Defendants, Las Vegas Metropolitan Police Department ("LVMPD"), Brian Fortner,
35 Jordan Miller, and Marcus Martin (collectively "LVMPD Defendants"), and Plaintiff, Micah
36 Kalenowski, stipulate to extend the current deadlines of June 21, 2023, for LVMPD Defendants to
37 file a Response to Plaintiff's Motion to Compel, (ECF No. 81), and June 22, 2023, for LVMPD
38 Defendants to file a Response to Plaintiff's Motion to Amend, (ECF No. 82), by seven days, to
39 June 28 and 29, 2023:

1 1. On June 7, 2023, Plaintiff filed a Motion to Compel, (ECF No. 81); and on June 8,
2 2023, Plaintiff filed a Motion to Amend his First Amended Complaint, (ECF No. 82);

3 2. The deadline to file a Response to the Motion to Compel is June 21, 2023, and for
4 the Motion to Amend is June 22, 2023, after which Plaintiff has 7 days to file Replies.

5 3. Federal Rule of Civil Procedure 6(b) and Local Rule IA 6-1 impose a good cause
6 standard to extend these deadlines. “Good cause” is a non-rigorous standard that has been
7 construed broadly across procedural and statutory contexts. *Ahanchian v. Xenon Pictures, Inc.*,
8 624 F.3d 1253, 1259 (9th Cir. 2010).

9 4. Good cause exists to extend these deadlines by one week. Specifically, LVMPD
10 Defendants’ time to oppose the Motions to Compel and Amend inherently involved a shortened
11 schedule because of the June 19, 2023 holiday. Further, there have recently been several Motions
12 that require briefing from LVMPD Defendants—including a Reply, (ECF No. 83), filed on June
13 8, 2023, in support of LVMPD Defendants’ Motion for Protective Order; and a Response, (ECF
14 No. 85), by LVMPD Defendants filed on June 9, 2023, opposing Plaintiff’s Motion to Extend
15 Discovery. Additionally, LVMPD Defendants’ counsel took the deposition of Plaintiff’s police
16 practices expert on June 9, 2023, as well as Plaintiff on June 13, 2023; and LVMPD Defendants’
17 counsel will take the deposition of Plaintiff’s medical expert on June 21, 2023. Plaintiff, moreover,
18 set a deposition for Defendant Fortner to occur on June 22, 2023, and has requested a meet and
19 confer call to occur before the response deadlines on the Motion to Compel and Amend to address
20 setting Defendant Martin’s deposition and document production. Last, LVMPD Defendants’
21 counsel must attend a hearing for another matter on June 21, 2023. In total, this schedule does not
22 provide sufficient time for LVMPD Defendants’ counsel to address all issues raised in Plaintiff’s
23 Motions to Compel and Amend by the current response deadlines.

24 5. An extension of time will ensure that the Court has appropriate briefing on

1 Plaintiff's Motion to Amend before making a ruling. Neither party will suffer prejudice from the
2 extension of one week for briefing, and this Stipulation is brought in a good-faith effort to litigate
3 the case on its merits.

4 6. The extended deadlines will be as follows: June 28, 2023, for LVMPD Defendants
5 to file a Response to Plaintiff's Motion to Compel; June 29, 2023, for LVMPD Defendants to file
6 a Response to Plaintiff's Motion to Amend; July 12, 2023, for Plaintiff to file a Reply in support
7 of the Motion to Compel; and July 13, 2023, for Plaintiff to file a Reply in support of the Motion
8 to Amend.

9 DATED this 16th day of June, 2023.

10 KAEMPFER CROWELL

11 By: /s/ Lyssa S. Anderson
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21 *Las Vegas Metropolitan Police*
22 *Department, Brian Fortner, Jordan*
23 *Miller, and Marcus Martin*

24 **IT IS SO ORDERED.**

19 DATED this 21st day of June, 2023.

9 DATED this 16th day of June, 2023.

10 McAVOY AMAYA & REVERO

11 By: /s/ Michael J. McAvoyAmaya
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23 UNITED STATES MAGISTRATE JUDGE